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Title I Private School Toolkit

October 2015

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Overview of NCLB Law on Title I Private School Services

Under Title I, school districts are required to provide services for eligible private school students, as well as eligible public school students. In particular, §1120 of Title I, Part A of the Elementary and Secondary Education Act (ESEA), as amended by the *No Child Left Behind* (NCLB) Act, requires a participating district to provide eligible children attending private elementary and secondary schools, private school teachers, and private school families with Title I services or other benefits that are equitable to those provided to eligible public school children, their teachers, and their families.

A private school Title I program provides supplemental educational services so that all children have a fair, equal, and significant opportunity to obtain a high-quality education. For a private school student to qualify for assistance under Title I, the student must reside within the attendance area of a participating Title I public school and have an educational need as identified through a student selection process.

The purpose of the Title I Private School Toolkit is to provide both public and private school personnel with guidance and sample forms that can be used in coordinating Title I services in a private school. The format of this document is outlined on the index page. The toolkit includes a step-by-step process form, a contact list, guidance on key private school issues, and several sample forms utilized in private school programming.

This toolkit relates specifically to Title I, Part A services for children attending a private school. Under a number of other U.S. Department of Education (USDE) programs, private school students are entitled to receive equitable services. For information regarding these other federal programs, log on to www.ed.gov/about/offices/list/oii/nonpublic on the USDE website.

If you have any questions concerning any of the issues addressed in this toolkit, please contact:

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Title I Private School Services Step-by-Step Guide

- ☐ The North Dakota Department of Public Instruction (NDDPI) Grants Manager sends correspondence to all school districts instructing them to contact all private schools within their district asking of their intent to participate in the federal Title programs (SFN 50412). **March**
- ☐ Private schools complete the form, keep a copy for their records, and return it to the appropriate public school district personnel. Private schools do not send the form directly to the NDDPI. **March**
- ☐ The public school district ensures that forms are received from all private schools. Follow-up may be necessary to ensure inclusiveness of responses. **March**
- ☐ The public school district makes copies for their records and forwards all forms back to the Grants Manager at the NDDPI. **March**
- ☐ The Federal Title Programs office generates a list of all private schools requesting Title I services for the subsequent school year. The Title I Private School Toolkit is updated with this information. **March/April**
- ☐ Public school districts that participate in the Title I targeting process collect poverty data on all participating private schools using Worksheet G. Small districts who do not participate in the targeting process do not need to collect poverty data as the department uses the October free/reduced lunch count on file with the Child Nutrition and Food Distribution office. Worksheet G must be submitted to the Office of Federal Title Programs. **April/May**
- ☐ School district personnel input poverty data on the State Automated Reporting System (STARS) as part of the Title I targeting process (Large districts only). **April/May**
- ☐ The public school districts receive building allocations, which include the private school amounts, from the NDDPI. Large districts who target receive private school allocation amounts on the targeting spreadsheet. Small districts who do not target will receive allocation information in a memo from the Federal Title Programs office. **April/May**
- ☐ The public school district shares information with the participating private school(s). **April/May**
- ☐ The public school district sponsors a public/private school consultation meeting to discuss pertinent Title I issues. **April/May**
- ☐ The items that need to be discussed at the consultation meeting are listed on the Affirmation of Consultation with Private School Officials form (see Appendix C). In particular, the district needs to decide whether or not private schools will keep individual allocations generated or pool private school funds. **April/May**
- ☐ The district, in consultation with private school personnel, makes a determination as to which program option(s) will be used as outlined in the Private School Guidance. **April/May**
- ☐ The Affirmation of Consultation with Private School Officials form must be signed, kept on file, addressed on the STARS, and submitted to the Office of Federal Title Programs. **July 1** ❄️
- ☐ The public school district and private school personnel work together to complete the forms needed to input data for the consolidated application, (i.e., program description, equitable set-aside worksheet, private school activities, and budget). This information will all be submitted electronically on the STARS by the public school district personnel. **June/July**

Title I Private School Services Step-by-Step Guide (cont'd)

- ☐ The public school district has private school officials review the completed private school portion of the consolidated application before it is submitted on the STARS to the department. **June/July**
- ☐ The public school district submits the Title I Final Financial Report and Private School Addendum to the Federal Title Programs office. **June/July**
- ☐ The public school district Title I staff make determinations on which students are eligible to receive Title I services (i.e., student selection process). **Spring or Fall**
- ☐ Title I services to private school students begin. **Fall**
- ☐ The public school district communicates regularly and meets periodically with private school officials. **Yearlong**
- ☐ Public school Title I staff implement parental involvement activities at the private school. **Yearlong**
- ☐ Public school district implements professional development activities at the private school. **Yearlong**
- ☐ Public school Title I staff regularly assess Title I private school students' progress. **Yearlong**
- ☐ Public school Title I staff assess the Title I program at the private school(s). **Spring**



NONPUBLIC SCHOOL PARTICIPATION—FEDERAL TITLE PROGRAMS
NORTH DAKOTA DEPARTMENT OF PUBLIC INSTRUCTION
SFN 50412 (Rev 2/15)

Each school district shall provide an opportunity for the equitable participation of children and teacher(s) from nonpublic school(s) in the purposes and benefits of the titles listed below. If the nonpublic school(s) choose to participate in any of the program(s) identified below, they will be given the opportunity to be involved in the planning, implementation and evaluation of the program(s) selected. No Child Left Behind (Title IX, Part E, Subpart 1).

I. Nonpublic School(s)

*Complete section A, place a check in the appropriate column in section B to indicate participation, and **return to your public school district.***

A.

Nonpublic School Name		Name of Public School District	
Name of Nonpublic School Administrator		Telephone	
Address of the Nonpublic School			
City		State	Zip Code
Signature of Authorized Nonpublic School Official			Date

B. Federal Title Programs

- | | | |
|------------------------------|-----------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Title I, Part A, Disadvantaged Children Meet High Academic Standards |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Title II, Part A, Teacher and Principal Training and Recruitment |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Title III, English Language Acquisition, Language Enhancement, and Academic Achievement |

II. Public School District:

A signed participation form must be submitted to the Department of Public Instruction for all approved nonpublic schools in your district, whether they are participating or not. Consolidated Applications will not be approved if these forms are not submitted.

Return the forms by March 9 each year to:

Juliann Vetter
Fiscal Management
Department of Public Instruction
600 East Boulevard Ave, Dept 201
Bismarck, ND 58505-0440

**Private Schools
Receiving Federal Title Services
2015-2016**

School District	Public School Grades Served by Title I (pertains to Title I services only)	Private School	Title I	Title II	Title III
Belcourt	K-12	St. Ann's Catholic School	✓	✓	
Bismarck	K-5	<u>Light of Christ Catholic Schools of Excellence:</u>	✓	✓	✓
		▸ Cathedral of the Holy Spirit	✓	✓	✓
		▸ St. Anne Elementary School	✓	✓	✓
		▸ St. Mary's Elementary	✓	✓	✓
		▸ LOCCSE Academy		✓	✓
		▸ St. Mary's Central High School		✓	✓
		Martin Luther School	✓	✓	✓
		Shiloh Christian School	✓	✓	✓
Devils Lake	K-4	St. Joseph Elementary School	✓	✓	
Dickinson	K-8	Dickinson Catholic Schools	✓	✓	
		Hope Christian Academy		✓	
Fargo	K-5	Academy for Children		✓	
		<u>Blessed John Paul II Catholic Schools Network:</u>	✓	✓	
		▸ Holy Spirit Elementary School	✓	✓	
		▸ Nativity Elementary School	✓	✓	
		▸ Sullivan Middle School		✓	
		▸ Shanley High School		✓	
		Grace Lutheran Elementary School		✓	
		Oak Grove Lutheran Schools	✓	✓	
Fort Yates	K-12	St. Bernard Mission School	✓	✓	
Grand Forks	K-8	Holy Family Elementary School	✓	✓	✓
		St. Michaels Elementary School	✓	✓	✓
Jamestown	K-5	Anne Carlson Center		✓	
		St. Johns Academy	✓	✓	
Langdon	K-6	St. Alphonsus Elementary School	✓	✓	
Mandan	K-5	Christ the King Elementary School	✓	✓	✓
		St. Joseph Elementary School	✓	✓	✓
Minot	K-8	Bishop Ryan Catholic School	✓	✓	
		Our Redeemer's Christian School		✓	
Rugby	K-6	Little Flower Elementary School	✓	✓	
Valley City	K-8	St. Catherine Elementary School	✓	✓	
Wahpeton	K-5	St. John's Elementary School	✓	✓	
West Fargo	K-5	Trinity Elementary	✓	✓	
Williston	K-6	St. Joseph's Elementary School		✓	✓

Ways to Document and Collect Poverty Data on Private School Children

Section 1120(c)(1) of the Title I statute and Section 200.78(2) of the regulations allow a school district to calculate the number of children whom are from low-income families and attend private schools in several ways. Listed below are five ways that define how a district can document and collect poverty data on private school children.

1. **Using the same measure of poverty.** If available, a school district should use the same measure of poverty used to count public school children, e.g., free/reduced price lunch data.
2. **Using comparable poverty data from a survey and allowing such survey results to be extrapolated if complete actual data are unavailable.** (For further details and a sample form, reference Appendix A, at the end of this Private School Guidance section.)
3. **Using comparable poverty data from a different source.** If data from the same source used for public school children is not available, a district may use poverty data for private school children that are from a different source than the data it uses for public school children, so long as the income threshold in both sources is generally the same.
 - a. For example, a district uses free/reduced price lunch data, but private school children do not participate in the free/reduced price lunch program; however, private school officials are able to provide a district with a count of children who are from low-income families using other sources of poverty data such as Temporary Assistance to Needy Families (TANF) or tuition scholarship programs. If the different sources use different definitions of low-income, a district would need to adjust the results accordingly.
4. **Using Proportionality.** A school district may apply the low-income percentage of each participating public school attendance area to the number of private school children who reside in that school attendance area. To do this, a district will need the addresses and grade levels of those students attending private schools.
 - a. For instance, a district calculates the percent of poverty of a public school attendance area to be 60 percent. The district then applies the poverty percentage of the public school attendance area to the number of private school children residing in that public school attendance area. For example, if the number of private school children residing in the public school attendance area is 50, then 60 percent of 50 children or 30 children are considered to be from low-income families. The district then calculates the per-pupil amount on 30 children.
5. **Using an equated measure.** A district may use an equated measure of low-income by correlating sources of data – that is, determining the proportional relationship between two sources of data on public school children and applying that ratio to a known source of data on private school children. For example, a district uses free/reduced price lunch data, but this data is not available for private school students. However, if TANF data is available, the district could determine an equated measure of poor students in private schools based on free/reduced price lunch data by correlating the two sets of data as follows:
 - a. TANF in the public school is to free/reduced price lunch as TANF in private schools is to “X”.

$$\frac{\text{TANF (public)}}{\text{Free/reduced price lunch (public)}} = \frac{\text{TANF (private)}}{\text{X (private)}}$$

In this example, the district may then use the equated number of private school students based on free/reduced price lunch data (“X”) as the number of low-income private school students.

* The school district has final authority on which method is used to collect data on poverty for private school children. It is not necessary that a district adopt a uniform procedure with regard to all private schools. Different poverty measures may be used in different private school buildings, if needed.



Title I Private School Guidance

October 2015

Private School Guidance

Determining Allocation Amounts and Grade Level Services

Under §11113(a) of the Title I statute and §200.78 of the regulations, a district must allocate Title I funds to public school attendance areas, who are eligible and selected to participate, in rank order on the basis of the total number of children from low-income families residing in each area. If a low-income family resides in the public school district, but sends their children to a private school outside of district boundaries, the resident school district is still obligated to offer services to the children if they are deemed Title I eligible.

A public school attendance area is eligible if their poverty percent is at or above the district poverty percent. In other words, if a public elementary school receives Title I services, then private elementary students from the same attendance area would be eligible for services at the private school. A district can determine which grade levels (i.e., grades 1-5, grades 7-8, etc.) they want to serve with Title I funds. Private school services can only be provided in the same grade level as the public school. The question to consider when determining grade level services at the private school is, "If this child were deemed educationally eligible for Title I services in the public school in which they reside, would they be provided with these services?" If Title I services are only provided in elementary buildings for grades K-3, then Title I private school services can only be provided in elementary buildings for grades K-3.

A district may, if necessary, identify and rank its eligible school attendance areas based on the number of children from low-income families attending public schools only. Once the participating public school attendance areas have been established, a per-pupil allocation (PPA) is determined for each public school attendance area. Then, based on the total number of children from low-income families residing in each attendance area attending either public or private schools, the district calculates the total amount of funds for each area. From this amount, the district reserves an amount of funds for the private school children (equal to the PPA multiplied by the number of low-income private school students in the area) to provide equitable services to eligible private school participants. Low-income public and private school students residing in the same Title I attendance areas generate the same per-pupil amount.

In small districts that do not participate in the targeting process, the October free/reduced lunch count on file in the Child Nutrition and Food Distribution office is used to determine the private school allocation amounts.

Equitable Set-asides

Section 200.64(a)(2)(i)(A) of the Title I regulations requires that if a district reserves funds for instructional and related activities for public elementary or secondary school students at the district level, the district must also provide equitable services to eligible private school children. The amount of funds available to provide equitable services from the applicable reserved funds must be proportional to the number of private school children from low-income families residing in participating public school attendance areas.

The following instructional services are included in the equitable services provision off the top costs from the district's Title I allocation:

- Set-asides for teacher quality (districts are no longer required to set funds aside for teacher quality)
- Professional development (excluding requirements for program improvement)
- Parental involvement
- Instructional services (i.e., preschool, summer school, or jumpstart programs)

Any funds used for these purposes would generate equitable set-asides. It does not matter whether the funding sources are the district's regular allocation or carryover funding. (See Appendix B for the sample worksheet.)

Title I Carryover Funds

Title I law requires school districts to provide eligible private school children with Title I educational services or other benefits that are equitable to those provided to eligible public school children.

Title I funds are allocated based on poverty. Services provided to private school students should reflect the allocation amount generated. When the public school district submits the Title I final financial report, if any Title I private school funds are remaining, the district must contact the private school to determine if the services outlined in the consolidated application were carried out sufficiently. If the private school determines that the outlined activities were not provided in full, then the district must issue the balance of the funds as carryover to the private school for the subsequent school year. This decision must be documented and acknowledged on the "Addendum to the Title I Final Financial Report for the Private School Services". (See Appendix B for the addendum.)

Including Additional Title I Funds into the Process

In some districts, there may be additional funds that are used to supplement Title I activities and expenditures. These funds include Title I reallocated dollars and other federal Title I funds that are REAPed or transferred into the Title I program.

Reallocated funds are the dollars generated from school districts that have an excess of Title I carryover. The reallocated funds are competitive dollars that require a school district to submit a budget revision on the STARS and describe in detail how the reallocated funds will be used during the current school year. If the reallocated funds will be used for district-level activities, then districts must calculate and include the equitable set-aside amount for the private schools within the district. (See Appendix B for a sample worksheet.)

Any funds transferred into the Title I program from other ESEA programs under the transferability or REAP authority are subject to the equitable services set-aside provisions for services to private school students. A district may not transfer funds into the Title I program solely to provide services for private school students. Any funds that the district receives due to being identified for program improvement are not subject to private school equitable series regulations.

Affirmation of Consultation Requirements

District consultation with officials from private schools is an essential requirement of an effective Title I program for eligible private school children, their teachers, and their families. Consultation involves discussion between public and private school officials on key issues that affect the ability of eligible private school students to participate equitably in Title I programs.

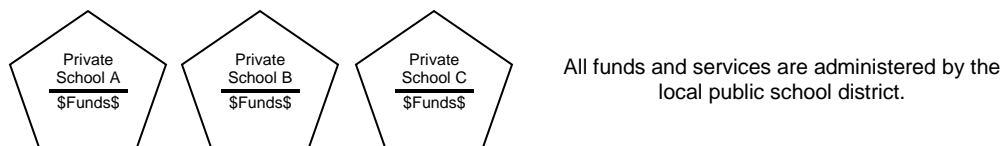
The requirements for consultation are in 1120(b) of the Title I statute of 200.63 of the Title I regulations. Consultation by a district must include meetings between the district and appropriate private school officials and must occur before the district makes any decision that affects the opportunity for eligible private school children, their teachers, and their families to participate in Title I programs. The meeting must occur and the consultation form must be signed in the spring or early summer before the consolidated application is submitted to the department. This form is due to the Federal Title Programs office by July 1.

Each school district must obtain a written affirmation, signed by officials of each private school with participating children or appropriate representatives of the private school officials that the required consultation has occurred. This must be submitted to the Federal Title Programs office annually, as well as, addressed on the STARS. (See Appendix C for an example of this form.)

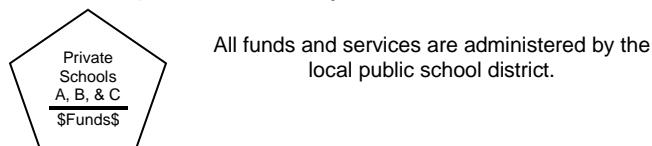
Program Options

In consultation, the school district and private school officials may choose one or both of the following options for using the funds reserved for instructional services for eligible private school children. This decision should be made at the annual consultation meeting between the public and private school officials.

1. **School-by-School Option:** Provide equitable services to eligible children in each private school with the funds allocated for the children who reside in participating public school attendance areas and attend that private school. Under this option, the services provided to private school children are determined by the amount of funds generated by each private school building.



2. **Pooling Option:** Combine funds allocated for private school children in all participating areas to create a pool of funds for which the district provides equitable services to eligible private school children who are in the greatest educational need of those services and reside in participating public school attendance areas. Under this option, the services provided to eligible children attending a particular private school do not depend on the amount of funds allocated for children in that school, rather, the services focus on the neediest children throughout the entire private school system.



If there are no children attending the private school(s) from low-income families to warrant the allocation of instructional funds and the district is not pooling the funds, then children in that private school who meet the educational criteria will not receive Title I services because there are no funds available to provide services. If the district is pooling funds, then eligible low-achieving children who meet the educational criteria and attend private schools with no children from low-income families may receive Title I services. (See Appendix D for an example of each program option.)

Determining Services

The district, in consultation with appropriate private school officials, determines the appropriate Title I services based on the needs of the private school students. Title I services may focus on subject areas that are different from those provided to public school students, as long as these services are provided in the same grade-level as the services provided to public school children. Schoolwide programs may not be operated in private schools. Title I targeted assistance programming that follows Title I private school statute is allowable.

The district is responsible for planning, designing, and implementing the Title I program, and may not delegate that responsibility to the private schools or their officials. The district provides a Title I program to private school children by employing methods and instructional strategies for improving academic achievement that have been shown to be effective through scientifically based research. The district must also consider providing extended learning time to private school students. Based on the needs of children to be served, the district must provide an instructional program that not only supplements, but also is well coordinated with the instruction that the private school children are receiving in their regular classrooms. This program should complement classroom instruction and should not be a separate instructional program.

The Title I teacher may use the same textbooks and materials as used in the regular private school classroom so long as the textbooks and materials are secular, neutral, non-ideological, and the instructional services supplement and do not replace the instructional program in the students' regular classroom.

The U.S. Department of Education (USDE) believes that the constitutionality of Title I instructional services provided in a private school will depend on consideration of the program's safeguards viewed as a whole, not any one factor, such as whether or not there are religious symbols in the space used for that instruction. The USDE guidance states that a valid program must contain safeguards to ensure that public school employees do not promote religion in the course of carrying out their Title I services.

Title I services for private school participation may be provided at various locations, including the private school, neutral sites, or public schools. District officials must consult with private school officials before any decision is made about the location of Title I services. If appropriate space is available, the least disruptive, and least expensive location may be the private school in which the participating children attend.

After consultation with private school officials, a district may provide Title I services other than direct instruction if the provision of services are appropriate to assist those children identified as failing or most at-risk of failing to meet high student academic achievement standards. The district must measure the effect of services on the academic achievement of participating children. Additional services for participating private school children include, but are not limited to, the following:

- Instructional services provided by public school employees or third-party contractors
- Extended-day services
- Computer-assisted instruction (CAI)
- Family literacy programs
- Counseling programs
- Home tutoring
- Instruction using take-home computers

If services other than direct instruction are provided to private school students, it is important to note that all Title I private school regulations still apply (i.e., parent involvement, student selection, student eligibility, assessment, etc.). For Title I services, a district may not just provide a private school with instructional materials and supplies paid with Title I funds. Simply providing the private school with instructional materials and supplies is NOT an option available to the district. This practice is not considered a proper private school Title I program and it does not meet the equitability requirements outlined in NCLB.

Contracted Services

The public school district, in consultation with private school officials, may determine that contracting with a third party provider is in the best interest to provide services. This is an option to consider, however; North Dakota has had no public school districts pursue this option to date. If this is an option the entities choose to pursue, please contact the Federal Title Programs office for guidance and assistance.

Maintaining Fiscal Control

Private school officials have no authority to obligate or receive Title I funds. The statute clearly states the district must maintain control of Title I funds, materials, equipment, and property. No Title I funds may be paid to a private school.

Section B-41 of the USDE's guidance on providing Title I services to private school students further clarifies that a private school is not permitted to order supplies or materials for its Title I program and seek reimbursement from the district, since private school officials have no authority to obligate or receive Title I funds. Districts must retain all documentation showing how it spent Title I funds for private school students. Districts will need to document that any Title I-funded equipment or materials located at private schools are properly labeled as public school district property that was purchased with federal funds.

Staff Qualifications

Section 1120(d)(2) of the Title I statute requires that Title I services be provided by an employee of a public school district. These employees must be independent of the private school and any religious organization in the provision of those services and such employment or contract must be under the control and supervision of the district.

Teachers and paraprofessionals who provide Title I services to private school participants and are employees of a district must meet the highly qualified staff requirements. The highly qualified personnel requirements only apply to those teachers and paraprofessionals who are directly employed by the district.

A district may hire a private school teacher to provide Title I services to private school participants as long as the private school teacher meets the highly qualified teacher standards required in the Title I statute and is independent of the private school in the provision of Title I services. The private school teacher can only be employed for Title I purposes outside of the time he or she is employed by the private school, and the private school teacher must be under the direct supervision of the district with respect to all Title I activities.

Paraprofessionals providing instructional support within a Title I program must work under the direct supervision of a public school Title I teacher and meet the NCLB requirements for aides/paraprofessionals. In a private school setting, working under direct supervision translates to working in direct vision of the Title I teacher. A Title I private school program cannot be operated by an aide/paraprofessional alone.

If a district reserves funds off the top of its Title I allocation for assisting staff in becoming highly qualified, the district must also provide an equitable share to teachers of private school students from this set-aside amount. However, Title I funds cannot be used to get private school staff highly qualified. Therefore, if the district reserves funds off the top to get public school teachers highly qualified, the district must provide the private school with an equitable amount of funds to be used for professional development for private school staff reflective of the grade levels served. This professional development must focus on reading, math, or other areas that focus on helping at-risk students achieve.

Student Eligibility

Educational need is determined by whether or not the private school child meets the requirements of Title I targeted assistance programs, which requires the use of multiple, educationally related, objective criteria in selecting children to participate in the Title I program. Children from preschool through grade two (2) can be selected solely by subjective criteria such as teacher judgment, interviews with parents, and developmentally appropriate measures of educational need.

Student eligibility for Title I services for private school children is determined by:

1. Residence in a participating public school attendance area, and
2. Educational need.

Poverty is not a criterion. Criteria for services are determined in consultation with private school officials. The district must establish multiple, educationally related, objective criteria to determine which private school children are eligible for Title I services, and within the eligible group, which children will be served.

Title I, Part A funding may not be used to identify private school children who are eligible to participate. Title I, Part A funds may be used to select participants from among those who are eligible and to determine the needs of the students.

It is the district's responsibility to verify that the eligible private school children reside in participating public school attendance areas within the district. This verification process must be documented. (See Appendix E for the example form.) A separate eligibility process must be conducted for students whose home residence is outside the public school district.

When the number of eligible children within a private school is very small, the district should consider other options for services. They might adopt methods that are cost-effective for serving small numbers, such as take-home computer programs, individual tutoring programs, professional development activities with the classroom teacher of Title I participants, or other strategies. Even in a case where a small amount of funds is available, all Title I rules and regulations still apply.

Parental Involvement

Section 1118 of Title I requires a district with a Title I allocation of \$500,000 or greater to reserve funds off the top of its Title I allocation to carryout required Title I parental involvement activities. In addition, any parental involvement funds that a district reserves off the top of their allocation are also subject to the equitable set-aside provision for the private schools. Parents of eligible private school children must be served using a portion of the parental involvement set-aside. The district uses the number of private school students in each Title I attendance area to calculate the mandatory percentage of the set-aside needed for parents of eligible private school students.

A district must provide equitable services to parents of private school participants from the funds set-aside for this purpose. Activities for the parents of private school participants must be planned and implemented after meaningful consultation with private school officials and parents. Activities districts can provide parents should assist private school students in achieving high academic standards. This includes parent meetings, communication between the Title I teachers and parents on students' academic progress, parent-teacher conferences, and parent education.

Examples of Parental Involvement Activities:

1. During the consultation process, the district, private school officials, and parents discuss a number of options for parental involvement in the Title I program, including parent meetings, parent-teacher conferences, parent training activities, and reasonable access to Title I staff. After considering the needs and views of the private school parents and school officials, the district conducts an annual meeting with parents and provides training for parents on how to work at home with their children in reading and math. The district also provides parents of each private school participant with an individual student report on the student's performance on the North Dakota State Assessment (NDSA) or on an appropriate alternative assessment and informs parents about how the student is achieving in the Title I program through monthly assessments and reports to parents.
2. One district encourages and enhances parental involvement through hands-on workshops and individual meetings to provide parents with strategies and techniques for improving their children's learning. For example, a joint agreement between the Title I teachers and the parents of Title I students outlines the shared responsibilities for improved student achievement under Title I using books and tapes in a read-aloud program. In addition, parents use a variety of teacher-made and commercially prepared activity kits, resource books, and guides to enhance their involvement in their children's education. Progress reports are distributed to parents twice a year, and a parent representative from each private school community is invited to the District-wide Private School Steering Committee Meeting to share ideas and recommendations regarding services to be implemented for private school participants, their teachers, and their families.

Please note, all public schools receiving Title I services must develop and disseminate a Title I parent involvement policy, which includes a parent/school compact. This requirement does not apply to private schools.

Professional Development

If a district reserves funds off the top of its Title I allocation for carrying out district Title I professional development activities, the district must provide equitable services to teachers of private school participants from this set-aside amount. A district calculates these equitable services from the reserved funds in proportion to the number of private school children from low-income families residing in participating public school attendance areas.

The district is required to provide professional development activities for Title I teachers who are employees of the district. The cost of this training should be paid from the funds reserved for the professional development of the district's teachers and not from the funds required to provide equitable services to teachers of private school participants.

The professional development activities for private school teachers should address how classroom teachers can better serve Title I students, such as by providing information on evidence-based reading and mathematics instruction. It is inappropriate to use these funds to upgrade the instructional program in the regular classroom of the private school.

Private school officials are not authorized to obligate or receive Title I funds. The statute clearly states that the district must maintain control of Title I funds. No Title I funds may be paid to the private school.

Title I funds may be used to pay for stipends for private school classroom teachers, if reasonable and necessary. For example, if the professional development activity is conducted during after-school hours or in the summer, stipends may be needed to compensate teachers for their participation outside their regular employment hours. Stipends for private school teachers must be available on the same basis as those for public school teachers and the stipends must be paid directly to the private school teachers for their own use and not to the private school.

After consultation, the district should offer professional development activities at a time and place that is convenient for the teachers of private school participants. Title I funds may not be used to hire substitute private school teachers.

Assessment

A district must annually assess the progress of the Title I program toward enabling private school Title I participants to meet the agreed-upon standards. The district may use the NDSA (under §1111(b)(3) of Title I) or other assessment measures that more accurately reflect the progress of the private school participating students toward meeting the standards that the district, in consultation with private school officials, have determined as appropriate. Every year, the district and private school officials must consult on what constitutes annual progress for the Title I program. In measuring annual progress, the district has the flexibility to group children in a manner that will provide the most accurate information about their progress. For example, the district may decide to group children by instructional method, grade level, school, or other appropriate basis. If the private school Title I program does not make the expected annual progress, the district must make modifications to the Title I program to address the identified needs on an annual basis.

While districts are required to assess progress of Title I students annually, they should also consult with private school officials/classroom teachers regularly about the progress the private school Title I students are making in their regular classrooms.

A district normally would assess private school children in the subjects in which the district provides Title I services to those children.

Title I funds may be used to assess private school children if the assessment is used only for Title I purposes. However, if an assessment is conducted system-wide for other purposes, it may not be paid for with Title I funds. If private school children, in general, are included in the NDSA or NWEA, Title I funds may not be used to pay for the assessment of those private school children participating in Title I.

Officials of the private schools may provide the district with the assessment data on Title I private school students that the private school has collected as part of its testing program. However, private school officials are not obligated to do this, and refusal by private school officials to provide these data does not release the district from its obligation to provide services and assess the progress of the private school participants in the Title I program.

Non-Applicable NCLB Provisions

There are certain key Title I provisions in the NCLB Act that are not applicable to private school students or schools. These would include:

- Assessment – Private schools are not required to give the NDSA to their students.
- Adequate Yearly Progress – The NDDPI does not generate an AYP reports for private schools.
- Program Improvement – Private schools cannot be identified for program improvement.
- School District Profiles/Report Cards – The NDDPI does not generate a report card or profile for private schools.
- Highly Qualified Staff Provision – NCLB only mandates that public school teachers meet the highly qualified requirements. However, ND aligned our state law to NCLB. Therefore, all teachers who are issued a ND teaching license must meet the highly qualified requirements.
- Aides/Paraprofessionals – NCLB only requires aides/paraprofessionals paid with Title I funds to meet the new requirements of NCLB. Therefore, any aide/paraprofessionals working in a Title I program in a private school and paid with Title I funds, would need to meet the provisions.
- Parents' Right to Know – The NCLB law incorporates a Parents' Right to Know Clause which requires that at the beginning of each school year, a school that receives Title I funds must notify all parents of all students that they may request information regarding the professional qualifications of teaching staff. This provision does not apply to private schools.
- Parent Involvement Policy/Parent School Compact – All public schools receiving Title I services must develop and disseminate a Title I parent involvement policy, which includes a parent/school compact. This requirement does not apply to private schools.

Dispute Procedures

Section A-10 of the USDE's guidance states that private school officials have a right to complain to the NDDPI if they feel that their district either has not engaged in timely and meaningful consultation, or has not considered the private school's views in planning for Title I services for its students. Public school districts need to have a copy of their district's and state's dispute resolution process in place and share it with private school officials. Documentation must be on file and available showing that these procedures are available to any private school officials who seek them as well as distributed to the parents of participating private school children. (See Appendix F for guidance on this regulation as well as the North Dakota Dispute Resolution Policy and Procedures.)

Signed Time Assurances

Districts that have federally funded personnel must complete an assurance, every six months (at a minimum), documenting the time that staff worked in a particular federal Title program. The individual and their public school district supervisor must both sign the assurance. The signed assurance for the public school personnel working at the private school should document only the time spent at the private school.

Appendices

A-F



Appendix A

Collection of Poverty Data on Private School Children

Document to Collect Poverty Data on Private School Children

Using comparable poverty data from a survey and allowing such survey results to be extrapolated if complete actual data are unavailable.

- a. In order to obtain the number of private school children from low-income families, a district may use a survey to obtain poverty data comparable to those used for public school students. To the extent possible, the survey must protect the identity of families of private school students. The only information necessary for a district to collect in a survey of private school children is:

- (1) Geographic information verifying residence in a participating public school attendance area;
- (2) Grade level of each child; and
- (3) Income level of parents.

A district should not require that the private school officials give the names of low-income families.

- b. After obtaining income data from a representative sample of families with children in private school, a district may extrapolate this data to the entire private school student population if complete actual data are unavailable. The district should take care to ensure that the data are truly representative of the private school students in the district.

Examples of Representative Sample and Extrapolation:

Column 1	Column 2	Column 3	Column 4	Column 5
Public school attendance area	# of resident private school children	# of private school children submitting surveys	# of low-income private school children from surveys	Extrapolated # of low-income private school children
A	150	115	100	130
B	20	10	4	8

Key:

Column 1. Public school attendance area

Column 2. Number (#) of resident private school children

Column 3. Number of private school children submitting surveys

Column 4. Number of low-income private school children from returned surveys

Column 5. Extrapolated number of low-income private school children

Calculations:

Column 5 (extrapolated number of low-income children) =

Column 4 (# of low-income private school children from surveys) multiplied by Column 2 (# of resident private school children)

Column 3 (total submitted surveys)

$$\text{OR} \quad \frac{100 \times 150}{115} = 130$$

$$\frac{4 \times 20}{10} = 8$$

Sample Form for Private School Officials to Submit to School Districts***Private School Students Living in Poverty**

Name of Private School _____

Public School District _____

Please provide the grades and geographic information verifying residence in a participating public school attendance area of those families that meet the poverty criteria of _____ [insert here the poverty criteria used—e.g., U.S. Department of Agriculture for the free/reduced price lunch program]. Do not provide the names of the families or students.

<i>Grades</i>	<i>Geographic Information</i>

* This is not an official U.S Department of Education document. It is provided only as an example.

School District Sample Form for Use by Private School Officials*

The purpose of this survey is to collect data that will be used to determine the amount of funds available for the public school district to provide Title I services to eligible students in our private school. Determining the number of our students, by public school district of residence, who would qualify for free/reduced price lunches, accomplishes this. The information requested below is confidential. It is not necessary to provide family names.

- A. Find your family size and look at the annual gross income level listed beside it on the chart printed below.

(Chart information was obtained from the Income Eligibility Guidelines document provided by the NDDPI Child Nutrition and Food Distribution Programs available online at www.dpi.state.nd.us/child/snp/nsfp/index.shtm.)

Family Size	Annual Gross Income For 2014-2015
1	\$15,171
2	\$20,449
3	\$25,727
4	\$31,005
5	\$36,283
6	\$41,561
7	\$46,839
8	\$52,117

- For each additional family member over eight, add \$5,278 to your Annual Gross Income.
- If you are paid on a weekly or monthly basis, please multiply that amount by the number of weeks or months actually worked each year to determine the "Annual Gross Income."

- B. Is your family income less than the amount listed on the chart on the line ☐ yes ☐ no beside your family size?

- C. Is your family eligible for food stamps? ☐ yes ☐ no

- D. Are you receiving Temporary Assistance to Needy Families (TANF)? ☐ yes ☐ no
(Formerly AFDC or Public Assistance)

- E. Please provide the following information:

Address: _____

Public school district in which you reside: _____

Grade levels of your children: _____

***This is not an official U.S. Department of Education document. It is provided only as an example.**



Appendix B

Private School

Fiscal Documents

North Dakota Department of Public Instruction

Addendum to the Final Financial Report Private School Services

☐ Title I, Part A

☐ Title II, Part A

Federal Title law requires LEAs to provide equitable services to eligible private school children and teachers. Services provided to private schools should reflect the minimum allocation amount generated. When the public school district submits the Final Financial Report, if any private school funds are remaining, the district must issue the balance of these funds as carryover funds for the subsequent school year if adequate services were not provided. Funds generated through Title I equitable set-asides are not subject to the carryover provisions. Unless the programs pool funds, districts with more than one private school program must complete a separate addendum for each facility. **Ledger(s) may be requested to verify amounts.**

School District	Private School	School Year
-----------------	----------------	-------------

Private School Allocation	+	Private School Carryover from Previous Year(s)	=	Private School Total
---------------------------	---	--	---	----------------------

Object Number	Category		Approved Budget	Total Expenditures for Fiscal Year-to-Date	Remaining Balance of Approved Amount
100	Salaries	110	Professional Salary		
		120	Non-professional Salary		
200	Benefits				
300	Purchased Professional and Technical Services				
430	Maintenance				
580	Travel				
600	Materials/Supplies				
730	Equipment				
800	Dues, Memberships, Registration				
900	Indirect Costs				
950	Unobligated Set Asides				
Total					

Carryover Calculation:

Private School Total	-	Total Expenditures for Fiscal Year-to-Date	=	Carryover Amount
----------------------	---	--	---	------------------

To Be Completed by the Private School:

- ☐ The public school district provided timely, adequate services during the school year and, therefore, we do not have a need for the private school carryover funds for the subsequent school year.
- ☐ The services during the school year were not equitable in comparison to those provided to students and teachers served at the public school. Therefore, we request to utilize the carryover funds in the subsequent school year.

Certification:

I certify to the best of my knowledge and belief that this report is correct and that all expenditures are for the purposes set forth in the consolidated application.

Signature of Authorized Representative	Date
Signature of Business Manager	Date
Signature of Private School Representative	Date

For Department Use Only

Signature-Coordinator	Date
Signature-Director	Date

Worksheet Title I Equitable Services

1. Instructional Program(s) Reservation (i.e., summer school)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
÷		=
<hr/>		
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
x		=
<hr/>		

2. Parental Involvement Reservation

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
÷		=
<hr/>		
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
x		=
<hr/>		

3. Professional Development Reservation

(Excluding Professional Development requirements for program improvement)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
÷		=
<hr/>		
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
x		=
<hr/>		

4. Set-Aside for Teacher Quality (i.e., professional development at private school)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
÷		=
<hr/>		
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
x		=
<hr/>		

* This form may need to be revised throughout the school year as public schools record reallocated, REAP, transfer, or budget revisions. Any of the above district activity must provide the private school with an equitable share.



Appendix C

Affirmation of

Consultation

Affirmation of Consultation with Private School Officials

General Information

Section 1120(b) of the *No Child Left Behind* Act and §200.63 of the Title I regulations require that timely and meaningful consultation occur between the school district and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.

Under §200.63 of the Title I regulations consultation must, at a minimum, address the following issues:

- How the district will identify the needs of eligible private school children.
- What services the district will offer to eligible private school children.
- How and when the district will make decisions about the delivery of services.
- How, where, and by whom the district will provide services to eligible private school children.
- How the district will assess academically the services to private school children in accordance with §200.10 of the Title I regulations, and how the district will use the results of that assessment to improve Title I services.
- The size and scope of the equitable services that the district will provide to eligible private school children and, consistent with §200.64 of the Title I regulations.
- The proportion of its Title I funds that the district will allocate for these services and the amount of funds that the district reserves from its Title I allocation for the purposes listed in §200.77 of the Title I regulations.
- The method, or the sources of data that the district will use (under §200.78 of the Title I regulations) to determine the number of private school children from low-income families residing in participating public school attendance areas, including whether the district will extrapolate data if a survey is used.
- The services the district will provide to teachers and families of participating private school children.
- Discussion of service delivery mechanisms the district will use to provide services; and
- Thorough consideration and analysis of the views of the private school officials on whether the district should contract with a third-party provider. If the district disagrees with the views of the private school officials on the issue, the district must provide in writing to those officials the reasons why the district has chosen not to use a third-party contractor.

Signatures

We agree that timely and meaningful consultation occurred before the district made any decision that affected the participation of eligible private school children in the program.

We agree that we have participated in meaningful and timely discussion on each Title and have chosen to participate in the program(s) marked below.

We agree that timely and meaningful consultation shall continue throughout implementation and assessment of services provided under these Titles throughout the duration of the school year.

Name of District Authorized Representative		Name of Private School Authorized Representative	
Signature of District Authorized Representative	Date	Signature of Private School Authorized Representative	Date
School District		Private School	

Private School Participation by Title

Check the box by each applicable Title program to indicate nonpublic school participation in that program

Title I, Part A <input type="checkbox"/> Yes <input type="checkbox"/> No	Title II, Part A <input type="checkbox"/> Yes <input type="checkbox"/> No	Title III, Part A <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	---

The school district must maintain a copy of this form in its records.

A signed copy of this form must be submitted to the Department of Public Instruction.



Appendix D

Program Options

Program Options

After consultation with private school officials, the district determines which option it will use to fund the Title I programs for eligible private school children.

Public school attendance area	Column A Per Pupil allocation (PPA) by attendance area	Column B Number of public school low-income children by attendance area	Column C Number of private school low-income children by attendance area	Column D Total allocation for each public school (Col. A X Col. B)	Column E Amount available for Title I services to private school children (Col. A X Col. C)
School A	\$800	150	17	\$120,000	\$13,600
School B	\$800	130	8	\$104,000	\$6,400
School C	\$800	100	3	\$80,000	\$2,400
School D	\$0	200	7	0	0
School E	\$0	140	6	0	0

*Public schools D and E are not eligible for Title I services.

Option 1 – School-by-School Option – Use funds allocated for eligible private school children to provide Title I services on a school-by-school basis to eligible private school children residing in participating public school attendance areas.

Private School #1

17 Low Income Residing in A = \$13,600
8 Low Income Residing in B = \$6,400
7 Low Income Residing in D = \$0

Total for services to eligible children attending private school #1 = \$20,000

Private School #2

3 Low Income Residing in C = \$2,400
6 Low Income Residing in E = \$0

Total for services to eligible children attending private school #2 = \$2,400

Option 2 – Pooling – Combine (pool) funds allocated for all eligible private school children to be used to provide Title I services to eligible children who reside in participating public school attendance areas and attend any private school.

Private School #1	=	\$20,000
Private School #2	=	\$2,400
Total for services to the eligible children in all private schools	=	<u>\$22,400</u>



Appendix E

Eligibility and

Attendance Area

Documentation

Worksheet to Determine Eligibility for Private School Students

Date: _____

Student	Address	Student Grade Level	Public School	Grade Levels Served by Title I	Eligible for Title I? (Yes or No)

The public school district has the responsibility to verify that eligible private school children reside in participating public school attendance areas. This verification process must be documented and kept on file.



Appendix F

Dispute

Resolution Policy

Dispute Resolution Policy Requirements

Federal regulations require that each district adopt procedures for receiving and resolving disputes pertaining to Federal Title programs.

If a parent, school personnel or any interested person wishes to file a complaint, a policy must be established which outlines the following components:

Process: Once received, the process that will occur. The process must define a reasonable time limit for responding to the complaint.

Contact Information: Who the complaint should be sent to.

Any complaint must include: What complaint must include.

Reconsideration:

The policy must address the process, at the local level, if the complainant wants the district's decision reconsidered. It must state that they have the right to have their complaint reconsidered by the North Dakota Department of Public Instruction and the U.S. Department of Education.

State Superintendent
North Dakota Department of Public Instruction
600 E Boulevard Avenue, Dept 201
Bismarck, ND 58505-0440

The Secretary of Education
U.S. Department of Education
555 New Jersey Avenue NW
Washington, D.C. 20208

The following two pages include these documents, which may assist school personnel in creating their Dispute Resolution Policy.

- ▶ North Dakota Federal Title Programs Dispute Resolution Policy and Procedures
- ▶ Template – Public School District Dispute Resolution Policy

If you have any questions regarding the Dispute Resolution Policy and Procedures, please contact Laurie Matzke at lmatzke@nd.gov or (701) 328-2284.

North Dakota Federal Title Programs Dispute Resolution Policy and Procedures

Federal regulations require that each state adopt procedures for receiving and resolving disputes pertaining to any of the federal Title programs. A complaint will include an investigation by Department of Public Instruction (DPI) staff that will result in a determination of findings of facts, conclusions, and reasons for a final decision.

If a parent, school personnel or any interested person wishes to file a complaint, the following process must be followed:

- The written complaint must be sent via mail or e-mail to:
[Director of Specific Title program]
North Dakota Department of Public Instruction
600 East Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

Federal Title Programs

Title I Part A	Laurie Matzke	lmatzke@nd.gov
Title II Part A	Laurie Matzke	lmatzke@nd.gov
Title III Part A	Lodee Arnold	laarnold@nd.gov
REAP/Transfer	Laurie Matzke	lmatzke@nd.gov

- Any complaint must include:
 - The date;
 - The name of the district, unit, or individual the complaint is against;
 - The name, address, and telephone number of the person making the complaint;
 - A detailed description of the complaint, including specific facts; and
 - The signature of the person making the complaint.

When a written complaint is filed, the appropriate DPI Title director will investigate and issue a written response within sixty (60) calendar days from the date the complaint is received.

Reconsideration

Once a response is received from DPI staff, the person making the complaint may submit a reconsideration request in writing to the State Superintendent within thirty (30) days of the date of the Title director's response. The State Superintendent will issue a final decision within thirty (30) days of the request for reconsideration. Once a response is received from the State Superintendent, the person making the complaint may submit a reconsideration request in writing to The Secretary of Education, U.S. Department of Education, 555 New Jersey Avenue NW, Washington, D.C. 20208.

Other Formal Dispute Resolution Procedures

Rules regarding dispute resolution between a school district and NDDPI regarding state or federal funds are outlined in NDCC Chapter 67-22-01.

TEMPLATE

Public School District Dispute Resolution Policy

Federal regulations require that each district adopt procedures for receiving and resolving disputes pertaining to the Federal Title program.

If a parent, school personnel or any interested person wishes to file a complaint, a policy must be established which outlines the following components:

Process: (Once received, the process that will occur)

The process must define a reasonable time limit for responding to the complaint.

Contact Information: (Who the complaint should be sent to)

Any complaint must include: (What complainant must include)

Reconsideration:

The policy must address the process, at the local level, if the complainant wants the district's decision reconsidered. It must state that they have the right to have their complaint reconsidered by the North Dakota Department of Public Instruction and the U.S. Department of Education.

State Superintendent
North Dakota Department of Public Instruction
600 East Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

Secretary of Education
U.S. Department of Education
555 New Jersey Avenue NW
Washington, D.C. 20208



Process for Out-of-District Students Attending a Private School within the Public School District's Boundaries

Overview

Section 200.62(b)(1)(i) of the Title I regulations define Title I eligible private school students as those who reside in participating public school attendance areas of the district, regardless of whether the private school they attend is located in the district. Therefore, the public school district in which a private school student resides is responsible for offering Title I services to Title I eligible students, even if the private school is located outside the public school district boundaries. Parent permission is required. This provision also applies across state lines.

Scenarios

Due to the unique way North Dakota calculates each district's Title I allocations, the method used to meet Title I regulations will vary for each individual public school district's situation. Please reference the chart below that outlines various scenarios to determine which best meets your district's situation.

Private Student Resides	Private School Location	Public School District Obligation
*Large Public School District A	*Large Public School District B	Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located in District B to offer eligible students with Title I services if requested by the private school students' parents. Ultimately, Public School District A is responsible for offering services.
*Large Public School District A	**Small Public School District C	Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located in District C to offer eligible students with Title I services. Ultimately, Public School District A is responsible for offering services.
*Large Public School District A	Out-of-State District	Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located out-of-state to offer eligible students with Title I services. Ultimately, Public School District A is responsible for offering services.
**Small Public School District C	*Large Public School District A	Neither Public School District C nor Public School District A generated funds to support Title I services. Public School District C's Title I allocation was generated through the district's free/reduced lunch data. The student's data is retained at the private school and was not reported on the resident district's free/reduced lunch count. Public School District A's Title I allocation was generated through census data. Since the student does not live in Public School District A, funds were not generated. Neither Public School District C nor Public School District A is responsible for offering services; however, Public School District A may offer services if the private school funds are pooled. An agreement must be developed, signed, and kept on file by each district. <i>See: Sample—Arrangement of Title I Services</i>
**Small Public School District C	**Small Public School District D	Public School District D generated funds to support its private school students through the district's free/reduced lunch data. The student's data is retained at the private school (located in Public School District D) and taken into account when the Public School District D Title I allocation was generated. Since the free/reduced lunch data is not reported to Public School District C, funds were not generated by the resident district. Public School District D may offer services. An agreement must be developed, signed, and kept on file by each district. <i>See: Sample—Arrangement of Title I Services</i>

* Title I allocations generated through census data (over 20,000 resident population) including Bismarck, Fargo, Grand Forks, Mandan, Minot, West Fargo (2014-2015 allocations).

** Title I allocations generated through district's free/reduced lunch data.

Title I Services to Out-of-District/Out-of-State Private School Students

Step-by-Step

Step 1. Communication

District officials contact the officials of private schools regarding students who reside in the district regarding the Title I program. It is recommended that district officials also contact private schools in all neighboring districts.

- The first step in making consultation timely and meaningful is to send an informative letter explaining the unique situation between the district and private school.
- Private school officials should respond outlining the information necessary to determine which students are eligible to be considered for Title I services and include school contact information. The final decision regarding student services is left up to the parents' discretion.

See: *Sample—LEA Letter to Out-of-District/Out-of-State Private School Officials and Sample—Private School Response Form and Documentation Form*

Step 2. Consultation

Out-of-district/out-of-state private school officials who have families that have elected to have their students receive Title I services from the district of residence should be invited to consultation meetings. Districts may elect to hold separate consultation meetings for unique circumstances dealing with out-of-district/out-of-state issues.

Step 3. Program Design-Determination of Title I Services

District officials, in consultation with private school officials, must develop a program design that meets the educational needs of the out-of-district/out-of-state private school participants. Factors to take into account are the amount of funding generated by out-of-district/out-of-state private school students and current Title I services offered by the resident public school district.

The public school district officials consult with private school officials and parents to make a joint decision on the design of Title I services. The public school district is responsible for implementing these services, hiring staff, and paying for services. The district may not delegate these responsibilities to the private school officials.

When providing services to out-of-district/out-of-state private school students, the legislation strongly encourages public school districts to provide eligible private school Title I students with comparable services.

Step 4. Student Eligibility and Selection

District officials must determine eligibility of the out-of-district/out-of-state private school students.

To be eligible for Title I services, a private school student must reside in a participating Title I public school attendance area and must meet the requirements in Sec. 1115(b) of Title I, which states that students be identified as failing or at risk of failing on the basis of multiple, educationally related, objective criteria. District officials must collect a listing of private school students residing in Title I public school attendance areas.

The following steps should be considered:

- The district officials, in consultation with private school officials, must establish criteria for determining the students eligible for Title I services. This criteria must be multiple, educationally related, and objective.
- Once a pool of eligible students is established by the private school officials using the agreed-upon criteria required under Sec. 1115(b), the district officials, in consultation with private school officials, determine which students are the most at risk and, therefore, will be offered Title I services.
- Please note: Private school programs that pool their Title I funds are able to serve any eligible students, as funding permits. Private school programs that select to implement the school-by-school funding option are only able to serve students from families that participate in free/reduced lunch. If a student is determined eligible based on their home residence and selection criteria, but is not on free/reduced lunch, they may only be offered Title I services if other private school students from low-income families are residing in the district and have generated an allocation of instructional funds.

See: *Sample—Documentation Form*

Step 5. Parental Notification

After the public school district officials have identified the out-of-district/out-of-state private school Title I eligible students, and before any private school student is placed in the Title I program, the public school district must notify the student's parent(s), in writing, to introduce the Title I program and to offer their child the opportunity to participate.

Parents may or may not accept the Title I services offered. If a parent refuses to have their child participate, the public school district has no further obligations.

See: *Sample—Letter to Parents Regarding Title I Services*

Step 6. Begin Services

Sample—LEA Letter to Out-of-District/Out-of-State Private School Officials

(This sample letter could be used for communication with officials of out-of-district/out-of-state private schools located outside the district's boundaries that may have eligible students whose home residence is within the public school district.)

Letterhead

[Insert Name]
[Insert Address]
[Insert City, State, Zip Code]

[Insert Date]

Dear [Insert Name]:

[Insert name of school district] is planning for its Title I program and needs your help to determine if there are any students who live in *our* school district and are attending *your* private school who may be eligible for Title I services. Title I, Part A, authorized under the *Elementary and Secondary Education Act*, provides services to students who:

- need extra educational help, and
- reside in Title I public school attendance areas.

Services can range from reading/mathematics instruction several times per week during the school day, to reading/mathematics instruction after school, to counseling services, to an instructional program during the summer. In addition to student services, Title I provides special activities for families of Title I students.

Under the Title I program, the number of private school students who qualify for free/reduced price lunch (they do not need to be participants) and reside in a Title I public school attendance area provide the basis for calculating the amount of funds used to implement the program. Students who need extra educational help and reside in a Title I public school attendance area are *eligible for services*.

In order to determine the amount of funds that may be available to support Title I services that could serve students with educational needs, please complete the enclosed forms. If you have any questions or would like to discuss the Title I program, please contact me at [insert phone number] or [insert email address].

Sincerely,

[Insert Name]
Title I Authorized Representative
[Insert Public School District Name]

Enclosures – Private School Response Form and Documentation Form

Sample-Private School Response Form

(This sample response form would be used by the out-of-district/out-of-state private school officials to communicate their contact information and to identify the attendance area and poverty status of potentially eligible students.)

Name of Private School				
Private School Address				
City	State	Zip	Telephone Number	Fax Number
Name of Private School Official			Title of Private School Official	
Private School Official Email			Private School Official Telephone Number	
Name of Private School Contact (if different than above)			Title of Private School Contact	
Private School Contact Email			Private School Contact Telephone Number	

Please select which option applies:

- ☐ We have enclosed data regarding our students' names, grade levels, addresses, and qualification for free/reduced price lunch.
- ☐ We have no students attending our private school who reside in [insert name of public school district].

Please note, the final decision regarding student services is left to the parents' discretion.

Please return this form along with the Documentation of Form by [insert due date] to:

[Insert name]
[Insert school district name]
[Insert address]
[Insert phone and fax numbers]
[Insert email address]

Sample Documentation Form

District officials must determine eligibility of the out-of-district/out-of-state private school students.

To be eligible for Title I services, a private school student must:

- Reside in a participating Title I public school attendance area, and
- Meet the requirements in Sec. 1115(b) of Title I, which states that students be identified as failing or at risk of failing based on multiple, educationally related, objective criteria.

In addition, the following must be taken into consideration:

- Private school programs that pool their Title I funds are able to serve any eligible students, as funding permits.
- Private school programs that select to implement the school-by-school funding option are only able to serve students from families that participate in free/reduced lunch. If a student is determined eligible based on their home residence and selection criteria, but is not on free/reduced lunch, they may only be offered Title I services if:
 - the private schools pool their funds, or
 - other private school students from low-income families are residing in the district and have generated an allocation of instructional funds.

Documentation, such as the chart below, must be kept and maintained by the public school district to document out-of-district/out-of-state private school student residence, level of educational need, and poverty.

Student Name	Student Grade Level	Residence Address	Residence Public School District	Residence Public School Attendance Area	Determined Educationally Eligible	Determined Eligible for Free/Reduced Lunch	Private School Funding Options
completed by private school	completed by private school	completed by private school	completed by private school	completed by public school	completed by public school	completed by private school	completed by public school
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds

Sample-Letter to Parents Regarding Title I Services

(This sample letter could be used to notify a student's parent(s) in writing, to introduce the Title I program and to offer services to their child. Parents may or may not accept the Title I services offered. If a parent refuses to have their child participate, the public school district has no further obligations.)

Letterhead

[Insert date]

Dear Parents:

Title I is a federal program that provides supplemental educational services so that all children have a fair and equal opportunity to obtain a high-quality education. When a private school student attends a private school outside the public school district in which they live, federal law requires the public school district of residence to offer Title I services, if the student is determined eligible.

Your child, [insert child's name], has been selected to participate in the [insert name of public school district]'s Title I program. This program will help your child improve his or her proficiency in [insert reading, mathematics, or both] to help succeed in school.

Your child is welcome to participate in [explain the program design being offered by the public school district. Details such as dates, times, transportation options, etc., should be included.] Title I teachers will be working with your child to develop better skills in [insert reading, mathematics, or both].

Your child will have an opportunity to work in small groups where he or she will do many special activities. Your child will be provided instructional activities to help him or her in the areas that need strengthening. In some cases, your child will work on a computer.

During the year, your child will bring home materials that he or she will share with you. In addition, as a parent of a Title I student, you will receive [insert parent involvement practices: monthly calendars of daily activities, invitations to parent meetings, regular communication with parents, etc.]

If you are interested in having your child participate in the [insert name of public school district]'s Title I program, please sign for approval below, and have your child return it to the [insert name of private school] office. This demonstrates that you are aware of this letter's content and indicates whether or not you plan to have your child participate in this educational opportunity. This helps both the [insert name of public school district] and [insert name of private school] as we collaborate in providing educational opportunities for students.

Sincerely,

[Insert name]

Title I Authorized Representative

[Insert name of public school district]

Please return by [insert date].

- ☐ My child **will** participate in the services explained above through the [insert name of public school district]'s Title I program.
- ☐ My child **will not** participate in the services explained above through the [insert name of public school district]'s Title I program.

Child's Name	
Parent's Signature	Date

Sample-Arrangement of Title I Services

School District 1 (resident district)	AND	School District 2 (attending district)	Private School
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I. Description

This document serves as evidence of an agreement between the [insert name of public school district 1] and the [insert name of public school district 2] relating to the Title I services provided at [insert name of private school]. For the [insert school year], [insert number] [insert name of private school] students who reside in the [insert name of public school district 1] are eligible to receive Title I services. Due to these unique circumstances, the student(s) did not generate funding in the resident district, as:

- ☐ [Insert name of public school district 1]'s Title I allocation was generated through the district's free/reduced lunch data. The student's free/reduced lunch data was retained at the private school and was not reported on the resident district's free/reduced lunch count; [insert name of public school district 2]'s Title I allocation was generated through census data. Since the student does not live in [insert name of public school district 2], funds were not generated. [insert name of public school district 2] currently pools the Title I funds to provide services to private school students; therefore, any eligible [insert name of public school district 1] students attending [insert name of private school] will be served through the existing [insert name of public school district 2]'s Title I program.
- ☐ [Insert name of public school district 1]'s Title I allocation was generated through the district's free/reduced lunch data. The student's free/reduced lunch was retained at the [insert name of private school] and incorporated into the [insert name of public school district 2]'s data when the [insert name of public school district 2] Title I allocation was generated. Therefore, any eligible [insert name of public school district 1] students attending [insert name of private school] will be served through the existing [insert name of public school district 2]'s Title I program.

II. Duration of Agreement

This agreement starts [insert date/month/year] and ends on [insert date/month/year]. Any participating school district may withdraw from the agreement at the end of the agreement period.

III. Responsibilities and Agreements

- [Insert name of public school district 2] will provide Title I services.
- Funding from the resident district, [insert name of public school district 1], will not be provided.
- All schools agree to follow the policies of the Federal Title Programs office of the North Dakota Department of Public Instruction.
- Provisions to this agreement may be added by agreement of the participating school districts, as long as the changes do not conflict with Title I regulations.

IV. Signatures

School District 1	Authorized Signature	Date
School District 2	Authorized Signature	Date
Private School	Authorized Signature	Date



Forms and Information for the Consolidated Application

Submission of Private School Information on the STARS

For the 2015-2016 school year, the targeting and consolidated application reports will again be completed electronically. These reports are available on the **State Automated Reporting System (STARS)**.

It is anticipated the consolidated application will be available to complete in the STARS in late spring. The private school information on the application that will need to be completed includes:

Title I Funds

- Worksheet G (Targeting districts only – must be submitted to NDDPI)
- Title I Nonpublic School Information (includes information regarding Title I staff assigned to the private school)
- Worksheet to determine equitable set-asides for private schools
- Affirmation of Consultation Form (must be submitted to NDDPI) – July 1, 2015
- Private school Title I budget

Title II Funds

- Private school budget

Title III Funds

- Private school budget

After the district has entered its information into STARS, the district should generate print screens and have the private school officials review the completed private school portion of the consolidated application and budgets to ensure accuracy.

This electronic process does not allow signatures; however, the law still requires private school representatives to sign off on the Affirmation of Consultation form. It is the responsibility of the district personnel to keep signature documentation on file. Additionally, a copy of this signed document must be submitted to the Federal Title Programs office.

Title I Nonpublic School Information

School Name:

Student Caseload Per Teacher:

(Title I Reading Students + Title I Math Students = Total Student Caseload Per Teacher)

Delivery Method:

- ☐ Students served at nonpublic school
☐ Transported to public school
☐ Transported to other site

Detailed description of the Title I program

The description must include these seven items to be approved:

- 1) Clear description of the Title I program.
- 2) Student selection process and criteria.
- 3) Days and minutes served per week per teacher.
- 4) Communication methods with regular education teachers.
- 5) Description of how Title I supplements classroom instruction.
- 6) Assessment measures.
- 7) Parental involvement.

Description:

Parental Involvement Training Opportunities (check ALL that apply):

- | | |
|---|---|
| <input type="checkbox"/> Parenting | <input type="checkbox"/> Communicating |
| <input type="checkbox"/> Learning at home | <input type="checkbox"/> Volunteering |
| <input type="checkbox"/> Decision making | <input type="checkbox"/> Collaborating with community |

Detailed description of ongoing communication and training for parents:

Nonpublic Staff

Staff Name	Staff Email	Teacher License #	Position Description	FTE	New	Hours Reading	Grades Served Reading	Hours Math	Grades Served Math	Other
					<input type="checkbox"/>					<input type="checkbox"/>
					<input type="checkbox"/>					<input type="checkbox"/>
					<input type="checkbox"/>					<input type="checkbox"/>

Explain other services if checked yes:

Title I Budget for Private School Buildings

District				
School Building				
Building Allocation	Carryover Allocation	Parent Involvement Set-Aside	Other Equitable Set-Asides	Total Building Allocation

Object Codes	Title I (a)	Title I Parent Involvement (b)	Other Equitable Set-Asides (c)
110 Professional Salaries			
120 Non-Professional Salaries			
200 Benefits			
300 Purchased Professional & Technical Services			
400 Maintenance			
580 Travel			
600 Materials/Supplies			
730 Equipment >\$750/unit			
800 Dues/Memberships/Registration Fees			
900 Indirect Costs			
950 Unobligated			
Subtotal			
Total			

Private School Representative Signature	Date
District Coordinator Signature	Date
Authorized Representative Signature	Date

Private School Buildings

District		
School Building		
Building Allocation	Carryover Allocation	Total Building Allocation

Object Codes		Title II
110	Professional Salary	
120	Non-Professional Salary	
200	Benefits	
300	Purchased Professional & Technical Services	
400	Maintenance	
580	Travel	
600	Materials/Supplies	
730	Equipment >\$750/unit	
800	Dues/Memberships/Registration Fees	
900	Indirect Costs	
950	Unobligated	
Total		

Private School Representative Signature	Date
District Coordinator Signature	Date
Authorized Representative Signature	Date

Title III Budget for Private School Buildings

District		
School Building		
Building Allocation	Carryover Allocation	Total Building Allocation

Object Codes		Title III
110	Professional Salary	
120	Non-Professional Salary	
200	Benefits	
300	Purchased Professional & Technical Services	
400	Maintenance	
580	Travel	
600	Materials/Supplies	
730	Equipment >\$750/unit	
800	Dues/Memberships/Registration Fees	
900	Indirect Costs	
950	Unobligated	
Total		

Private School Representative Signature	Date
District Coordinator Signature	Date
Authorized Representative Signature	Date